IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION No. 5:20-cy-76-BO

RON HARDNEY, et al.,	
Plaintiffs,)
V.	ORDER ORDER
ABC PHONES OF NORTH CAROLINA,)
Defendant)

This matter is before the Court on defendant's motion [DE 56] to stay.

Recently transferred from the District of New Jersey, this Fair Labor Standards Act putative collective action alleges that defendant failed to pay store managers the full amount of overtime compensation owed to them. Pending in a similar case against the same defendant in the Western District of Tennessee is a motion to approve settlement which may resolve many of the claims in this case. *See O'Bryant v. ABC Phones of North Carolina, Inc.*, No. 2:19-cv-02378 (W.D. Tenn.). Defendant asks the Court to stay this action pending resolution of the settlement motion.

A district court has inherent authority to manage its docket to promote "economy of time and effort for itself, counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254–55 (1936). When determining whether to stay proceedings, a district court generally considers "(1) the interests of judicial economy; (2) hardship and equity to the moving party if the action is not stayed; and (3) potential prejudice to the non-moving party." *Johnson v. DePuy Orthopaedics, Inc.*, No. 3:12-CV-2274-JFA, 2012 WL 4538642, at *2 (D.S.C. Oct. 1, 2012) (citation omitted). The Court, having considered these factors, finds that a stay is warranted.

Accordingly, the motion to stay [DE 56] is GRANTED. This action is STAYED pending the resolution of the motion to approve settlement in *O'Bryant v. ABC Phones of North Carolina*, *Inc.*, No. 2:19-cv-02378 (W.D. Tenn.). The parties should file a report with the Court every 60 days from the date of this order discussing the status of the motion in *O'Bryant*.

SO ORDERED, this _____ day of May, 2020.

Terrence W. BOYLE

CHIEF UNITED STATES DISTRICT JUDGE